IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

NOTICE OF MOTION NO.2820 OF 2003
IN
TEST.SUIT NO.87 OF 2002
IN
TEST.PETITION NO.50 OF 2002

Dr.Nusly P.J.Pocha ..Petitioner/
Plaintiff

Vs.

Cyrus Pestonji Dubash ..Caveator/
Defendant

Mr.B.Culabawala Madekar & Co. for the petitioner

Mr.B.Menzes for the respondent

CORAM : S.U.KAMDAR, J

DATED : 17TH JUNE, 2005

P.C.:

. In so far as prayer clause (a) and (b) is concerned, the learned counsel for the respondent does not press at this stage and the same is kept open to be determined at the hearing of the suit. In so far as prayer clause (c) and (d) is concerned, petitioner will not be entitled to any decree in Civil Suit No.16 of 1998 pending in the Court of Civil Judge, Senior Division, Satara till and until probate is issued by this court. Motion

is disposed of accordingly. No order as to costs.